

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|---------------------------|---|-----------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | 8:03CR384 |
| |) | |
| v. |) | |
| |) | |
| THEOPHALAS MAYS, |) | ORDER |
| |) | |
| Defendant. |) | |
| _____ |) | |

On June 24, 2005, the defendant appeared through counsel on a motion for reduction of sentence (Filing No. 50), filed by the plaintiff, pursuant to Rule 35 of the Federal Rules of Criminal Procedure. After considering the comments of the parties and after evaluating the assistance provided by the defendant, the Court finds that the government's motion for reduction of sentence should be granted. Accordingly,

IT IS ORDERED:

- 1) The government's motion for reduction of sentence is granted.
- 2) Defendant be committed to the custody of the Bureau of Prisons for a term of sixty-seven (67) months on Count I and sixty (60) months on Count III, to run consecutively to Count I. Defendant is to be given credit for time previously served under the previous Judgment and Committal Order dated February 18, 2004, which was signed and filed on March 8, 2004 (Filing No. 42).
- 3) All other terms and conditions of the Judgment and Committal Order dated February 18, 2004, remain in full force and effect.

4) That the transcript of the Rule 35 hearing of June 24, 2005, be sealed.

DATED this 24th day of June, 2005.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court